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THE ANDHRA PRADESH GAZETTE

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PART I - NOTIFICATIONS BY GOVERNMENT, HEADS OF DEPARTMENTS AND OTHER OFFICERS

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NOTIFICATIONS BY GOVERNMENT

POLICE DEPARTMENT

DISCIPLINARY ACTION AGAINST Sri P. SUNEEL KUMAR, PC 1647/CT WHO IS INVOLVED IN Cr.No.32/2008 u/s 366 IPC OF NARAYANAVANAM PS.

Ref:-
1. Cr.No.32/08 u/s 366 IPC of Narayanavanam PS of Chittoor District.
2. Cr.No. 32/10 U/s man missing of Chandragiri PS of Tirupathi Urban Police Dist.,
3. Range Office Inspection notes of District Police Office, Chittoor for the year 2013 by the Dy. Inspr. Genl. of Police, Ananthapuramu Range, Ananthapuramu.
4. This office letter even No. dt: 12-9-2014 addressed to the Director General of Police, A.P. Hyderabad Through the Dy. Inspr. Genl. of Police, A/R Ananthapuramu.
5. This office letter dt:26.3.17 addressed to the Director,. General of Police, A. P. Hyderabad.
6. Memorandum in Rc. No. 285/T2/2017 dt: 06.09.2017 of the Director General of Police, A.P. Mangalagiri.

* * * * *

C.No. A7/OEPR/39/2008,- It is to submit that Sri P.Suneel Kumar, PC 1647/CT of Narayanavanam PS of Chittoor district was placed under suspension with effect from 11.09.2009 vide this office DO.No.1330/2008, dt:13.10.2008 for the following delinquency:-

"Exhibited gross reprehensible misconduct by having illegal intimacy with a married woman namely P.Parvathi W/o N.Eswara Reddy of Samudayam Village, Narayanavanam Mandal, absent for duty from 22.09.2008 at 4 PM onwards and eloped with her and abducted her as a result a case in Cr.No.32/2008 u/s 366 IPC was registered against him in Narayanavanam PS and thus violated the provisions of Rule 3 of APCS (conduct) Rules, 1964".

The charged officer was arrested on 11.09.2009 and sent for remand. The above case is pending trail for execution of NBW against the accused in the court of JFCM., Puttur vide PRC No.27/2009.

For the above delinquency the charged officer was dealt with on a memorandum of charge entailing Oral Enquiry in .No.A7/OEPR/39/2008, dt:01.10.2009 calling for his written statement of defence. He has acknowledged the memorandum of charge on 18.12.2009, but failed to submit his written statement of defence even though he was given reasonable opportunity. Hence, the Sub Divisional Police Officer, Chittoor was appointed as Enquiry Officer to conduct Oral Enquiry vide this office proceedings in C.No.A7/OEPR/39/2008, dt:23.01.2010. The Sub Divisional Police Officer, Chittoor who conducted Oral Enquiry against the charged officer has submitted his final enquiry report dt: 08.04.2011 holding the article of charge as 'PROVED".

A minute copy was sent to the Inspector of Police, Puttur for causing service to the charged officer service and to return the dated acknowledged copy to this office vide this office memo C.No.A7/OEPR/39/2008, dt. 19.04.2011. The Inspector of Police, Puttur has submitted a report dt.10.11.2011 stating that the delinquent officer did not attend the court and his whereabouts are not known and he came to know that a case in Cr.No.32/2010 u/s Man Missing was registered against him in Chandragiri PS of Urban Police District , Tirupathi and the same is UI for tracing out the missing man i.e., charged officer.

Further it is to submit that the Inspector of Police, Puttur submitted another report dt: 21.02.2012 informing that HC 503/CT Sri B. Govindaswamy and PC 304/CT visited the house of charged officer, Itehipalli village of Chandragiri Mandal and pasted the minute copy to the main door in front of his house in presence of the neighbours as the charged officer is absconding since 1 1/2 years and his whereabouts are not known.

In the meanwhile, the above PC was released from suspension vide this office DO.No.313/2012, dt: 08.03.2012 as per guidelines issued in G.O.Ms.No.526 GAD(Services-Dept), dt: 19.08.2008 communicated with Chief Office endorsement TDS No.I515/Appl/1/2008, dt: 15.09.2008 as he has completed the period 2 years under suspension. The orders of released from suspension were sent to the Inspector of Police, Puttur on 19.03.2012, but these orders could not be served on the charged officer, since he continued to be absent and his whereabouts are not known. Thus, the charged officer has not yet reported for duty as on date and still his whereabouts are not known.

The Dy. Inspr. Genl. of Police, Ananthapuramu Range, Ananthapuramu in the inspection notes on District Police Office, Chittoor for the year 2013 was pleased to issue instructions that there are no possibility for service of the inquiry report on the above Charged Officer as his whereabouts are not known and hence requested to take necessary action as per rules, 42 (iii) of APCS (CC&A) Rules, 1991.

It is further submitted that as per the instructions of the Dy.Inspr. Genl.of Police, Ananthapuramu Range, Ananthapuramu, a letter has been addressed to the Director General Of Police, A.P.Hyderabad vide references 4th and 5th cited, duly enclosing the copy of final enquiry (minute) dt: 8.4.2011 of SDPO Chittoor with a request to address the Govt, of Andhra Pradesh for communication and publishing of final enquiry report in respect of the charged officer in Andhra Pradesh Gazette as per rule 42 (iii) of APCS., (CC&A) Rules, 1991.

Further it is submitted that in the reference 6th cited above, the Director General of Police, A.P. Mangalagiri, has pleased and issued instructions to send the findings (Minutes) of the enquiry officer i.e. SDPO Chittoor to the Commissioner of Printing and Stationary A.P to publish the same in the A.P. Gazette.

It is therefore requested to publish the findings (minutes) of Enquiry Officer in the A.P.Gazette as per Rule 42(iii) of APCS (CC&A) Rules, 1991 and provide the copy of the gazette to this office for taking further action at this end.

A copy of the final enquiry report (minute), dt:08.04.2011 of Sub Divisional Police Officer, Chittoor and copy of Chief Office memo are submitted herewith for favour of perusal and necessary action.

S.V. RAJASEKHARA BABU,
Superintendent of Police,
Chittoor.

Date : 27-9-2017.

INQUIRY REPORT
ON THE DEPARTMENTAL ENQUIRY HELD AGAINST
SRI P. SUNIL KUMAR. PC 1647/CT OF NARAYANAVANAM P.S.

A.7/OE PR/ 39/ 2008. Submitted by: Sri S.A. Razak,
Sub Divnl. Police Officer,
Chittoor.

Under Sub Rule 2 of Rule 20 r/w Sub Rule 5(b) of Rule 3 of APCS (CC & A) Rules, 1991, the Supdt. of Police, Chittoor in the proceedings C.No. A.7/OE PR/39/08 dt. 23-1-2010 appointed me as the Enquiry Officer to inquire into the charges framed against Sri P. Sunil Kumar, PC 1647/CT of Narayanavanam PS.

I have completed the inquiry and on the basis of documentary and oral evidence adduced before me by the witnesses cited in the charge memo I prepared my inquiry report which is as under.

1. Presiding Officer was not appointed.
2. The charged officer is absent during the entire proceedings of the enquiry despite observing all the procedural aspects of securing his presence.
3. Article of charge and substance of imputation of misconduct or misbehaviour:

ARTICLE

"Exhibited gross reprehensible misconduct by having illegal intimacy with a married woman namely P. Parvathi, W/o N. Ewara Reddy of Samudayam village, Narayanavanam Mandal, absented for duty from 22-9-08 at 4-00 PM onwards and eloped with her and abducted her, as a result, a case in Cr.No. 32/08 u/s 366 IPC was registered against him at Narayanavanam PS and also declared as deserter, vide DO No. 10/2009 (A.5/1084/DES/08) dt. 8-1-09 of the Supdt. of Police, Chittoor for his unauthorized absence for duty from 22-9-08 and thus violated the provision of Rule 3 of APCS (Conduct) Rules, 1964."

The charged officer is working as PC at Narayanavanam PS with effect from 10-5-2008. While so, he has been drafted for bandobust duty alongwith other staff at Puttur. Accordingly, the charged officer has attended for bandobust duty from 8-00 AM to 1 -00 PM on 22-9-2008 and did not report back in the Narayanavanam PS at 4-00 PM. SHO Narayanavanam made an entry in the GD regarding the absence of the charged officer.

On 23-9-2008, at about 3-00 PM, Sri N. Eswara Reddy, resident of Samudayam village, Narayanavanam Mandal lodged a written complaint stating that his wife Parvathi, aged about 25 years left house on 18-9-08 at 10-00 AM for attending sanghamithra group meeting and not returned home and further the complainant suspected that the charged officer is responsible for the missing of his wife, since the charged officer developed illegal intimacy with his wife. Basing on the complaint, a case in Cr.No. 32/08 u/s Woman Missing was registered wherein the charged officer is the suspected accused and later during the course of investigation the section of law was altered from woman missing to 366 IPC as prima-facie it is established that the charged officer is responsible for the abduction of the married woman to compel her for marriage with him. Thus, the charged officer, being a member of disciplined force, exhibited gross reprehensible misconduct by developing illegal intimacy with a married woman P. Parvathi, W/o N. Eswara Reddy and later abducted her on 22-9-2008 with an intention to marry her which is quite evident due to his absence from the duty. As the charged officer continued to be absent for his legitimate duties even after 21 days from 22-9-2008 onwards he was declared as “Deserter vide DO No. 10/09 (A.5/1084/DES/08) dt. 8-1-09 of the office of the Supdt. of Police, Chittoor.

5. Case of the disciplinary authority:

In the charge memo, 8 witnesses are cited. The OE against the charged officer was posted on 5-4-2010, 15-4-2010, 26-4-2010, 27-5-2010, 30-6-2010, 27-7-2010, 28-8-2010, 21-10-2010, 18-12-2010, 13-1-2011 and radio messages were issued to this effect to the CI, Puttur vide 1-4-2010, 10-4-2010, 20-4-2010, 25-5-2010, 28-6-2010, 17-7-2010, 25-8-2010, 21-10-2010, 6-12-2010 and 12-1-2011, instructing the CI to direct the charged officer to attend the OE on the above dates, but in vain as the charged officer continued to be absconding from his place of residence and from the permanent address furnished by him in the service book.

The SI of Police, Narayanavanam PS through his report dated : 19-7-2010 to this office, informed that on 7-7-2010, PCs 3280 and 3290 were deputed to trace the address of the charged officer, who was kept under suspension. The PCs went to Ithepalli village of Chandragiri

Mandal, which is the residential address given by the charged officer at the time of his arrest in Cr.No. 32/2008 u/s 366 IPC of Narayanavanam PS and on enquiry with the father of the charged officer and also neighbours and relatives at Ithepalli village, it came to light that the charged officer is not coming to his house and his whereabouts are not known. The PCs also reported that they came to know that the father of the charged officer has also given a complaint at Chandragiri PS about missing of his son, which was registered as Cr.No. 32/2010 u/s Man Missing on 29-3-2010 at Chandagiri PS and efforts are being continued to trace the charged officer. The PCs obtained a xerox copy of the FIR of the case and SI has sent the special report along with the copy of the FIR to me.

(1) K. Syed Sahib, (2) O. Hemachandra Reddy, (3) M. Siva Sankar, (4) N. Eswar Reddy and (5) M. Munilakshmi have been examined and their statements are recorded on 27-7-2010 in absentia of the charged officer. As the charged officer continued to be absent, a police notice dt. 28-1-2011 by the undersigned, posting the OE to 2-2-2011, was sent to the charged officer Sri P. Sunil Kumar, PC 1647, through PC 1355 P. Yuva Kumar of Chittoor Taluk PS which was served to P.Munirathnam father of the charged officer under proper acknowledgement as the charged officer continued to be absconding only to avoid arrest on NBW. The discrete enquiries at Ithepalli village disclosed that since last 7 or 8 months, the charged officer is not found in the village and his father has given a complaint of Man Missing at Chandragiri PS. PC 1355 has obtained a certificate from the VRO of the village confirming the fact of the absence of the charged officer from the VRO also. The PC 1355 secured the written statement of Sri P. Munirathnam wherein he has confirmed about the absence of Sunil Kumar from the village and registration of case of Man Missing at Chandragiri PS. Another notice was also sent on 18-2-2011 but in vain as the charged officer is continued to be absent from his native place and the notice is affixed on the door of the house of the charged officer as per laid down procedure and a photo is also taken to this effect. In view of the foregoing facts, the undersigned is constrained to record the statements of the remaining three prosecution witnesses Sri B. Srinivasulu, Inspector of Police on 8-3-2011 and Batla Srinivasulu, s/o V. Manikya Achari of K.Nagar and Sri S. Mustafa, retired SI on 9-3-2011 in absentia of the charged officer and the prosecution evidence has been completed. The following is the depositions of the eight witnesses recorded during the oral enquiry.

PW 1 Sri K. Syed Sahib, retired ASI, in his examination in chief, stated as follows: He worked as ASI from 15-5-2005 to 30-11-2009 and retired from service on 23-9-2010, when he was holding charge of the GD, the son of N. Venkata Reddy of Samudayam village came to the police station and complained that his wife Parvathi works as Sanghamithra in DWCRA group, that she left the house on 18-9-2008 at 10-00AM, stating that she has got work at Narayanavanam and did not return home even till evening. Hence, he caused enquiries with his relatives and through others, he came to know that she was talking with one P. Sunil Kumar, PC 1647 on phone and was found moving along with him and hence, he raised suspicion that even now. the she has gone away with the said Sunil Kumar and preferred a complaint at Narayanavanam PS. The witness registered the said complaint as Cr.No. 32/2008 u/s Woman Missing of Narayanavanam PS and during enquiry, since the said P. Sunil Kumar, PC 1647 was absconding, he entered the same facts in the GD and also in his CD. Later, basing on the outcome of the investigation facts, the case was altered from Woman missing to that of Kidnap on 28-9-2008 and submitted report to superior officers. Subsequent to return of the SI to the police station, he handed over the record of investigation.

PW 2 Sri Durgam Hemachandra Reddy, in his examination in chief, gave the following statement: He is a resident of Samudayam village, Narayanavanam Mandal and he is the Vice-President and lives by doing cultivation. N. Eswara Reddy of his village loved one Parvathi, d/o Munilakshmamma of Tirupati about 9 years ago and had second marriage at some temple at Bangalore without the knowledge of others. About 11 years ago, the said Eswara Reddy had his first marriage with his own elder sister's daughter Indumathi. She lead marital life with him for about a year without any willingness. At that time, they begot a male child. Indumati discarded her relations with him and went away to her parent's house, taking her son along with her. He learnt through Eswara Reddy that his second wife Parvathi left his house on 18-9-2008 informing that she is having some work in Sangha mithra and did not return home. So, the witness and Eswara Reddy searched for her in the surrounding places. The witness has seen the wife of Eswara Reddy talking with Sunil Kumar, working as constable at Narayanavanam Police station on many occasions. When he informed about this fact to Eswara Reddy, on 22-9-2008, Eswara Reddy gave a complaint at Narayanavanam police station and Narayanavanam police have registered a case in connection with this. Later on, Srinivasulu, the cousin brother of Parvathi has informed that his cousin sister went away along with Sunil and they were meeting clandestinely on many occasions and they have also visited Tirupati, Chittoor and Hyderabad also and thus, it came to light that Parvathi was kidnapped by the said constable Sunil Kumar.

PW 3 Sri Mokkala Siva Sankar Reddy, in his examination in chief, stated that he is a resident of Samudayam village, Narayanavanam Mandal. N. Eswara Reddy, a resident of his village is well known to him. About 9 years ago, N. Eswara Reddy loved one Parvathi, d/o Munilakshmama of Tirupati, took her to Bangalore and married at in some temple without anybody's notice. Prior to this, Eswara Reddy had marriage with his own elder sister Valliyamma's daughter Indimathi. His first wife did not lead marital life with him and went away to her parents' house about a year ago. Subsequently, on 18-9-2008, Eswara Reddy informed the witness that his wife left the house to Narayanavanam informing him that she has got some work in connection with Sangha Mithra and did not return home. Upon this, the witness informed him that his wife used to talk with Sunil Kumar, working as constable at Narayanavanam on many occasions. Thereupon, on 22-9-2008, Eswara Reddy gave a complaint at Narayanavanam police station. Subsequently, Srinivasulu, the junior maternal aunt's son of Parvathi informed that his elder sister Parvathi used to talk with Sunil Kumar, police constable clandestinely and in the recent past, both of them have also visited Chittoor, Tirupati and Hyderabad. Basing on the information furnished by Srinivasulu, it is disclosed that Parvathi, W/o Eswara Reddy has been kidnapped by Sunil Kumar and taken away to some unknown place.

PW 4 Sri Nagoor Eswar Reddy, in his examination in chief, stated as follows: He is a resident of Samudayam village, Narayanavanam Mandal. He lives by doing private electrician job. About 11 years ago, he married his elder sister Valliyamma's daughter Indumathi at the house of his elder sister at Sankaraiahgaripalli, Chandragiri Mandal. After the marriage, his wife Indimati lead unhappy life with him for about a year and at that time, they also begot a male child. Subsequently, his wife was not willing to lead life with him and went away to her parents' house, taking the son along with her. Later, in the month of February, 1999, he loved Parvathi, D/o Munilakshmi of Tirupati, took her to Bangalore and married her in second marriage without the knowledge of others. The said Parvathi is having junior maternal aunt in his village. During the visits of Parvathi to her house, he loved and married her. Presently, they have got a son by name Raj Kamal, aged 8 years. His wife Parvathi is working in Sangha mitthra group at Narayanavanam. On 18-9-2008 morning, at 10-00 AM, his wife left the house informing him that she is going to Narayanavanam, as she has got some work in Sanghamithra and did not return home. He caused enquiries with the neighbours and known persons and learnt that she did not go there. On the subsequent day, he went to the house of his mother-in -law and on enquiry, his mother- in-law told him that Parvathi did not come there. Thereafter, himself and his mother- in-law caused enquiries with all their relatives at Tirupati and there also, they were informed that Parvathi did not visit their houses. On 22-9-2008, he gave a

complaint at Narayanavanam police station, furnishing the above details. A case was also registered on his above said complaint. When his mother-in-law and himself were lamenting over this issue at the house of his junior mother-in-law Jayamma, her son Srinivasulu informed the witness that his wife was found moving very close with Sunil Kumar, working as constable at Narayanavanam, they were meeting secretly many times and chit-chatting over cell phones and in the recent past, she also had been to Chittoor, Tirupati and Hyderabad taking Srinivasulu along with her, on the plea that she has got Sangha Mithra work and at that time, Sunil, constable has come and taken her along with him to some place. Basing on the above information furnished by Srinivasulu, Sunil Kumar has kidnapped his wife Parvathi and taken her away to some unknown place.

PW 5 Smt. M. Munilakshmi. in her examination in chief, stated as follows: She is a resident of Chinthakayala Street, Tirupati and she is living with her husband. Her husband lives by doing masonry work. Her elder daughter's name is Parvathi and second daughter is Chamundeswari. Her elder daughter Parvathi used to visit the house of her younger sister Jayamma and during such visits, she loved one N. Eswara Reddy, a married person and about 9 years ago, married him at Bangalore in some unknown temple without the knowledge of the witness and others. They begot a male child aged Raj Kamal, who is now aged 8 years. Her daughter Parvathi is working in Sangha Mithra group. On 18-9-2008, her daughter Parvathi informed her husband that she has got work in Sangha Mithra and went to Narayanavanam and did not return to the house. Her husband caused enquiries for her in the neighbouring places and as he could not get any information, she came to the house of the witness at Tirupati and caused enquiries with her about Parvathi. She told him that Parvathi did not visit her house. Thereafter, the witness and her son-in-law Eswara Reddy caused enquiries with all their relatives at Tirupati and during their enquiries, they came to know that Parvathi did not visit even their houses. On 22-9-2008, they went to Narayanavanam police station and gave a complaint about this. Subsequently, when they were lamenting over the issue, discussing with her younger sister Jayamma at Samudayam village, V. Srinivasulu, the son of her younger sister informed that Parvathi used to clandestinely meet Sunil Kumar, working as constable at Narayanavanam, talking on cell phones and since last three months, they also had been to Chittoor, Tirupati and Hyderabad and that Srinivasulu also went along with them. Srinivasulu also informed the witness that her daughter Parvathi threatened him not to divulge this information to anybody and if he informs anybody about this, she would commit suicide. Basing on the information given by Srinivasulu, it appears that Sunil Kumar, working as police constable at Narayanavanam police station has kidnapped Parvathi and took her away to some unknown place.

PW 6 Sri B. Srinivasulu, Inspector of Police, ACB, Tirupati, in his examination in chief, stated the following facts: He worked as Inspector of Police, Puttur circle from 15-10-2007 to 28-1-2009. One N. Eswara Reddy, s/o late N. Venkata Reddy of Samudayam village. Narayanavanam PS of Puttur circle preferred a complaint at Narayanavanam PS to the effect that his wife left his house on 18-9-2008 at 10-00 AM informing him that she is going to Narayanavanam on some work and did not return even till evening, that he enquired with his relatives and came to know that his wife Parvathi used to often talk with P. Sunil Kumar, working as PC 1647 at Narayanavanam PS quite often and was also moving with him and so, the said Parvathi might have gone away with the said PC Sunil Kumar to some place. The above complaint was registered as Cr.No. 32/2008 u/s Woman missing by Sri K. Syed Sahib, ASI, who was then holding charge of the GD and informed about the same to the witness. During enquiry, since PC 1647 P. Sunil Kumar was absent from 5-00 PM roll call on 22-9-2008, this fact was also marked in the GD and also reflected in the CD. Thereafter, the SI, Narayanavanam returned to the PS and on 22-9-2008 at 5-00 PM, when the ASI held roll call, he found PC 1647 absent and did not report back for duty and by 13-10-2008, the said PC has exceeded 21 days continuous absence, the SI of Police, Narayanavanam PS prepared a deserter report and submitted the same on 3-12-2008. The witness forwarded the same to the Supdt. of Police, Chittoor for taking further action.

PW 7 S. Mustafa, in his examination in chief, stated the following facts: He worked as SI of Police, Narayanavanam PS from 25-8-2008 to March, 2009. On the complaint given by Eswara Reddy on 28-9-2008, Cr.No. 32/2008 was registered under 366 IPC and 5 PWs were examined and he caused enquiries for the whereabouts of the accused and also the kidnapped Parvathi. His investigation disclosed that the accused Sunil Kumar has kidnapped a married woman Parvathi. He submitted a desertion report against Sunil Kumar, after 21 days absence to the Supdt. of Police, Chittoor through the Inspector of Police, Puttur on 14-10-2009.

PW 8 Batla Srinivasulu, in his examination in chief, stated the following facts: He is a resident of Karvetinagar and studying in ITI Course at K.Nagar. Parvathi is his senior maternal aunt's daughter. He worked in Sangha Mithra group during Xth Class holidays along with his elder sister Parvathi at Narayanavanam. One Sunil Kumar, a police got friendship with his elder sister and he also gave a cell phone to her. Whenever Sunil Kumar was going to Chittoor, Tirupati and Hyderabad, he used to take Parvathi along with him. He (Sunil Kumar) also purchased and gave a ring to his elder sister Parvathi. Subsequently, the said Sunil Kumar has kidnapped Parvathi and went away. On this issue, his brother-in-law Eswara Reddy has also given a complaint at Narayanavanam police station.

6. Case of the defendant:

Since the charged officer, who is figuring as accused in Cr.No. 32/2008 u/s 366 IPC of Narayanavanam PS and later declared as deserter is continued to be in desertion to avoid the execution of NBW issued by the IV JFCM, Puttur and the notice is served on to the father of the charged officer in the permanent address of the charged officer as per procedure laid down in the Sec. 64 Cr.PC and the notice has been affixed on a conspicuous part of the house i.e. on the door as per Sec. 65 Cr.PC the enquiry has been conducted in absentia of the charged officer and henceforth, the copies of documents mentioned in Annexure IV in the charge memo and also copies of statements of the witnesses recorded in absentia of the charged officer could not be served and the final written statement of defence of the charged officer also could not be obtained. After adopting the procedural aspects of servicing the summons laid down in the Sec. 64 and 65 Cr.PC the oral enquiry is conducted and concluded expartee.

7. Analysis and assessment of evidence:

The allegation against the charged officer is that he exhibited gross reprehensible misconduct by having illegal intimacy with a married woman P. Parvathi, w/o N. Ewara Reddy of Samudayam village, Narayanavanam Mandal, absented for duty from 22-9-08 at 4-00 PM onwards and eloped with her and abducted her, as a result, acase in Cr.No. 32/08 u/s 366 IPC was registered against him at Narayanavanam PS and also declared as deserter, vide DO No. 10/2009 (A.5/1084/DES/08) dt. 8-1-09 of the Supdt. of Police, Chittoor for his unauthorized absence for duty from 22-9-08 till date and thus violated the provision of Rule 3 of APCS (Conduct) Rules, 1964.

I have gone through the charge memo, evidence adduced by the prosecution witnesses and also the documents available in the OE file.

The entire evidence of PWs 1 to 8 who were examined during the oral enquiry stated that the charged officer being in Police Department as a constable and a married person developed illegal contact with the Parvathi wife of Eswar Reddy, later on kidnapped her with an intention to marry her and did not return till now. A case in Cr.No. 32/2008 u/s 366 IPC has been registered at Narayanavanam PS on the complaint of Eswar Reddy husband of the kidnapped woman Parvathi. To avoid arrest the charged officer is absconding himself and consequently he is absented himself for his official duties without leave or intimation since 22-09-2008 on which the charged officer is declared as the Deserter vide DO No. 10/2008 (A.5/1084/DES/2008) dt. 8-1-2009 of the Supdt. of Police, Chittoor. Still the charged officer is out of view and hence a case of man missing is registered at Chandragiri PS vide case in Cr.No. 32/2010 u/s Man Missing on the complaint preferred by Munirathnam father of charged officer.

After observing the procedure laid down in Sec. 64 and 65 Cr.PC the OE was conducted expartee. If at all the charged officer is innocent of the allegations leveled against him, he should have been surrendered before the court of JFCM, Puttur or he should have appeared before the Supdt. of Police, Chittoor for cancellation of Desertion Orders or he should have been appeared before me during the course of the inquiry to prove his innocence of charges. The mere absence of charged officer since the time of the registration of the case i.e. 23-09-2008 itself proves beyond all reasonable doubts that the charged officer kidnapped the married woman and might be compelling her for marriage and for that reason he took the risk of loosing his Govt. job.

8. Findings:

In the light of the analysis and assessment of the evidence both oral and documentary I held the charges leveled against the charged officer as “PROVED” beyond all reasonable doubt.

Certified that the procedure prescribed in Rule 20 and 21 of the APCS (CC & A) Rules, 1991 has been followed in the process of this enquiry.

S.A. RAZAK,
Enquiry Officer,
Sub-Divisional Police Officer,
Chittoor.

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